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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,019	11/24/2003	Sung-sik Kim	Q78117	9170
23373	7590	05/09/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			CHOWDHURY, TARIFUR RASHID	
		ART UNIT	PAPER NUMBER	
			2871	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/719,019	KIM, SUNG-SIK	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tarifur R. Chowdhury	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 06 March 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) 15 and 16 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-14 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/08/06.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popovich et al., (Popovich), USPAT 6,525,847 in view of Yasuda et al., (Yasuda), EP 0 540 137 A1 (provided by the applicant).**

4. As to claim 1, Popovich discloses a display apparatus for selectively display a two-dimensional (2D) image and a three-dimensional (3D) image (title), the display apparatus comprising a flat panel display device (fig. 20, ref. 405) which generates a tow-dimensional image, and a switching panel ("holographic optical element", fig. 20, ref. 420, 470, HOE) which is disposed in front of the flat panel display device to be separated from the flat panel display device by a predetermined distance and is

controlled according to a type of image generated by the flat panel display device so that the 2D image and the 3D image can be displayed (abstract; col. 23, lines 36 – col. 24, line 61).

However, the reference fails to specifically disclose a flat panel display device where a plurality of viewpoint images having parallax is generated when 3D image is displayed.

Yasuda discloses a 3D image display device where a plurality of viewpoint images having parallax is generated when 3D image display is requested (abstract).

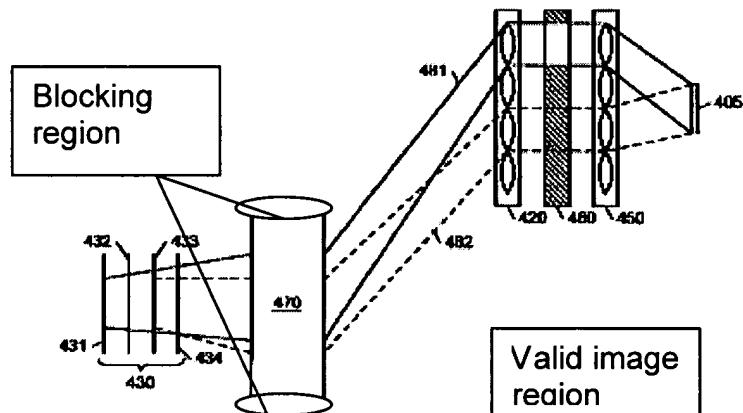
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a flat panel display device with a plurality of viewpoint images having parallax to be generated when 3D image display is requested since one would be motivated to provide a method of easily realizing 3D display of an image by electronically and variably controlling the appearances and disappearances of parallax (page 3, lines 3-6).

As per claim 2, Popovich discloses the display apparatus as recited above having a structure corresponding to pixel information of the flat panel display device when a plurality of viewpoint images for forming 3D image are generated by the flat panel device (col. 23, lines 36-60).

(Note: the limitation “is formed to transmit light as it is when the two-dimensional image is generated by the flat panel display device” is not given any patentable weight because a recitation with respect to the manner in which a claimed apparatus is

intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.)

As to claims 3-4 and 10-12, Popovich discloses the display apparatus as recited above having a switching panel (470) with valid image display region to transmit light and a selective blocking region to block light (see circled/label areas in fig. 20 reproduced below for convenience).



Furthermore, Popovich discloses that the valid image display region can be adjusted to any size (col. 25, lines 35-59) and satisfies the formulaic expressions of claims 10-12 where Popovich discusses adjusting size and viewing distances according to the Rayleigh two-point criteria (col. 25, lines 35-39).

Regarding claims 5-8, Popovich discloses the display apparatus as recited above where the switching panel is a liquid crystal display (fig. 1, ref. 10; col. 5, lines 45-61) designed to turn on and off light according to a control signal (col. 10, lines 22-38) and where the flat panel display device is an LCD display (405).

As per claim 9, Popovich disclose the display apparatus as recited above where the flat panel display device generates images in a  $n \times n$  matrix in each pixel (col. 23, line 61 – col. 24, line 3; col. 25, lines 38-51).

As to claims 13-14, Popovich discloses the display apparatus as recited above further comprising a visual field expansion unit having a first (450) and second (420) lens plate.

***Response to Arguments***

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

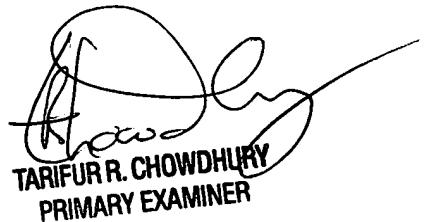
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R. Chowdhury whose telephone number is (571) 272-2287. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRC  
May 03, 2006



TARIFUR R. CHOWDHURY  
PRIMARY EXAMINER